

NOT FOR PUBLICATION

(Docket No. 6)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

FRANCISCO DIDIANO,

Plaintiff,

v.

KAREN BALICKI, SOUTH WOODS
STATE PRISON, et al.,

Defendants.

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Civil No. 10-4483 (RBK/AMD)

ORDER

THIS MATTER having come before the Court upon the Motion to Dismiss, or in the alternative, the Motion for Summary Judgment filed by Defendants Karen Balicki and South Woods State Prison et al. ("SWSP"); and the Court having considered the moving papers and the response thereto; and for the reasons expressed in the Opinion issued this date;

IT IS HEREBY ORDERED that Defendants' motion for summary judgment is **GRANTED** with respect to Plaintiff's claims against SWSP; and

IT IS FURTHER ORDERED that Plaintiff's 42 U.S.C. § 1983 and NJCRA claims against Balicki are dismissed without prejudice.

Dated: 4/18/11

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge

